

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

ORDER NO. 94-030

SITE CLEANUP REQUIREMENTS FOR:

COUNTY OF SANTA CLARA
FIELD SPORTS COUNTY PARK
200 METCALF ROAD
UNINCORPORATED SANTA CLARA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board) finds that:

1. **Site Description** - The County of Santa Clara (hereinafter called the Discharger) operates Field Sports County Park, a public park devoted to skeet, trap, rifle and pistol shooting. The 90 acre park has four combination trap and skeet fields, four trap fields, one skeet only field and rifle and pistol ranges. The park is located south of San Jose in the Coyote section of unincorporated Santa Clara County (see Figure 1). A creek diagonally traverses, from north to south, in front of the combination skeet and trap fields. The creek normally flows into a Santa Clara Valley Water District canal called Evergreen Canal. Infrequently, a gate valve is opened to allow flow into Coyote Creek.
2. **Site History** - The skeet and trap ranges were built by Olin Defense Systems, Winchester Division, a part of the Olin Corporation and opened in March 1978. For a period in the 1980s, Olin/Winchester leased the operation of the ranges to another party. In 1988, the County of Santa Clara assumed management of the park and the ranges.
3. **Sources of Pollution** - The lead pellets from the shotguns are discharged in a northeasterly direction from the combination skeet and trap fields toward, into and over the creek. From the shooters' positions, the distance to the creek varies from about 50 to 400 feet away. The pellets can land a considerable distance, about 300 to 400 feet, from the shooting positions. Broken clay targets and plastic wads are also deposited into the creek. Some plastic wads and broken targets have flowed downstream of the ranges.

The lead pellets have been mined and removed from the skeet and trap fields at least once in the past. In 1990, about 96,000 pounds of lead were recovered.

4. **Environmental Concerns** - The two primary areas of concern are lead and clay target deposition. The potential effects of lead from shotgun clubs are well documented. In both fresh and marine water, lead becomes available to biota through the transformation process of oxidation. Clay targets contain asphaltenes, which in

turn can contain polynuclear aromatic hydrocarbons. Certain types of these hydrocarbons are classified as carcinogenic.

5. **Scope of this Order** - This Order contains tasks that require the Discharger to: 1) cease the deposition of lead into the creek, a water of the State and water of the United States; 2) define the extent of lead pollution in waters of the State or waters of the United States; 3) determine the degree to which the lead is biologically available; 4) develop a remedial action plan to cleanup or manage the lead pollution; and 5) implement the remedial action plan. The Board reserves its jurisdiction to name other waste dischargers to this Order in the event of failure to comply with this Order or if other circumstances occur that, in the Board's discretion, would warrant naming other parties to this Order.
6. On October 28, 1968, the State Board adopted Resolution No. 68-16, "Statement of Policy with Respect to Maintaining High Quality Waters in California." This policy calls for maintaining the existing high quality of State waters unless it is demonstrated that any change would be consistent with the maximum public benefit and not unreasonably affect beneficial uses. The discharge of waste to the surface water at this site is in violation of this policy. Therefore, the surface water quality needs to be restored to its original quality to the extent reasonable.
7. The Board adopted a revised Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) on September 16, 1992. The Basin Plan contains water quality objectives and beneficial uses for the creek and contiguous surface waters.
8. The existing and potential beneficial uses of the creek include:
 - a. Non-contact water recreation
 - b. Wildlife habitat
9. The Discharger has caused or permitted, and threatens to cause or permit, waste to be discharged or deposited where it is or probably will be discharged to waters of the State and creates a condition of pollution or nuisance.
10. This action is an Order to enforce the laws and regulations administered by the Board. This action is categorically exempt from the provisions of the CEQA pursuant to Section 15321 of the Resources Agency Guidelines.
11. The Board has notified the Discharger and interested agencies and persons of its intent under California Water Code Section 13304 to prescribe Site Cleanup Requirements

for the discharge and has provided them with the opportunity for a public hearing and an opportunity to submit their written views and recommendations.

12. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that the Discharger shall cleanup and abate the effects described in the above findings as follows:

A. **PROHIBITIONS**

1. The discharge of wastes or hazardous materials in a manner which will degrade, or threaten to degrade, water quality or adversely affect, or threaten to adversely affect, the beneficial uses of the waters of the State or waters of the United States is prohibited.
2. Specifically, the discharge or deposition of lead pellets into the creek, a water of the State and water of the United States is prohibited.

B. **PROVISIONS**

1. The Discharger shall perform all investigation and cleanup work in accordance with the requirements of this Order. All technical reports submitted in compliance with this Order shall be satisfactory to the Executive Officer, and, if necessary, the Discharger may be required to submit additional information.
2. To comply with all Prohibitions of this Order, the Discharger shall meet the following compliance task and time schedule:

COMPLIANCE DATE AND TASKS

- a. **COMPLIANCE DATE: June 1, 1994**

WORKPLAN FOR IMPLEMENTATION OF LEAD BAN: Submit a workplan acceptable to the Executive Officer containing a proposal, including a time schedule, for implementation of a ban on lead pellets and methods for enforcing this ban.

- b. **COMPLIANCE DATE: July 1, 1994**

CESSATION OF LEAD DEPOSITION: Discharger is prohibited from depositing lead pellets into the creek, a water of the State and water of the United States.

- c. **COMPLIANCE DATE: July 1, 1994**

WORKPLAN FOR ALTERNATIVES TO CLAY TARGETS THAT CONTAIN ASPHALT: Submit a workplan acceptable to the Executive Officer containing a proposal, including a time schedule, to investigate the use of alternatives to clay targets that contain asphalt. This workplan will not be necessary if the County of Santa Clara submits a letter acceptable to the Executive Officer stating that the use of shotguns is permanently banned at the park.

- d. **COMPLIANCE DATE: April 15, 1994**

WORKPLAN FOR SEDIMENT POLLUTION

CHARACTERIZATION: Submit a technical report acceptable to the Executive Officer containing a proposal, including a time schedule, to define the horizontal and vertical extent of lead concentrations in the sediment in the creek, including both pellet and finely divided forms.

- e. **COMPLIANCE DATE: To be established by Executive Officer based on proposal submitted pursuant to Provision 2.d.**

COMPLETION OF SEDIMENT CHARACTERIZATION: Submit a technical report acceptable to the Executive Officer documenting completion of the necessary tasks identified in the technical report acceptable for Provision 2.d.

- f. **COMPLIANCE DATE: April 15, 1994**

WORKPLAN FOR BIOLOGICAL CHARACTERIZATION: Submit a technical report acceptable to the Executive Officer containing a proposal, including a time schedule, to characterize the biology in the area where the lead has been deposited, and determine whether the lead has become biologically available and is affecting, or can potentially affect, plants or animals. A remedial action plan acceptable to the

Executive Officer may be submitted in lieu of this workplan for biological characterization.

- g. **COMPLIANCE DATE: To be established by Executive Officer based on proposal submitted pursuant to Provision 2.f.**

COMPLETION OF BIOLOGICAL CHARACTERIZATION:

Submit a technical report acceptable to the Executive Officer documenting completion of the necessary tasks identified in the technical report acceptable for Provision 2.f.

- h. **COMPLIANCE DATE: To be established by Executive Officer based on reports submitted pursuant to Provisions 2.d. and 2.g.**

REMEDIAL ACTION PLAN: Submit a technical report acceptable to the Executive Officer containing a remedial action plan and an implementation time schedule. This report shall evaluate the removal of lead deposits in the creek and adjacent wetland areas. Removal evaluation shall consider pellet and sediment lead concentrations, and the degree of removal may be based on biological data. Any remedial action will take into consideration the sediment and biological characterizations.


- i. **COMPLIANCE DATE: To be established by Executive Officer based on proposal submitted pursuant to Provision 2.h.**

COMPLETION OF REMEDIAL ACTION: Submit a technical report acceptable to the Executive Officer documenting the completion of the necessary tasks identified in the technical report acceptable for Provision 2.h.

- 3. If the Discharger is delayed, interrupted or prevented from meeting one or more of the compliance dates specified in this Order, the Discharger shall promptly notify the Executive Officer, and the Board may consider revision to this Order.
- 4. The Discharger shall file a report with the Board at least 30 days in advance of any changes in occupancy or ownership associated with the Site described in this Order.

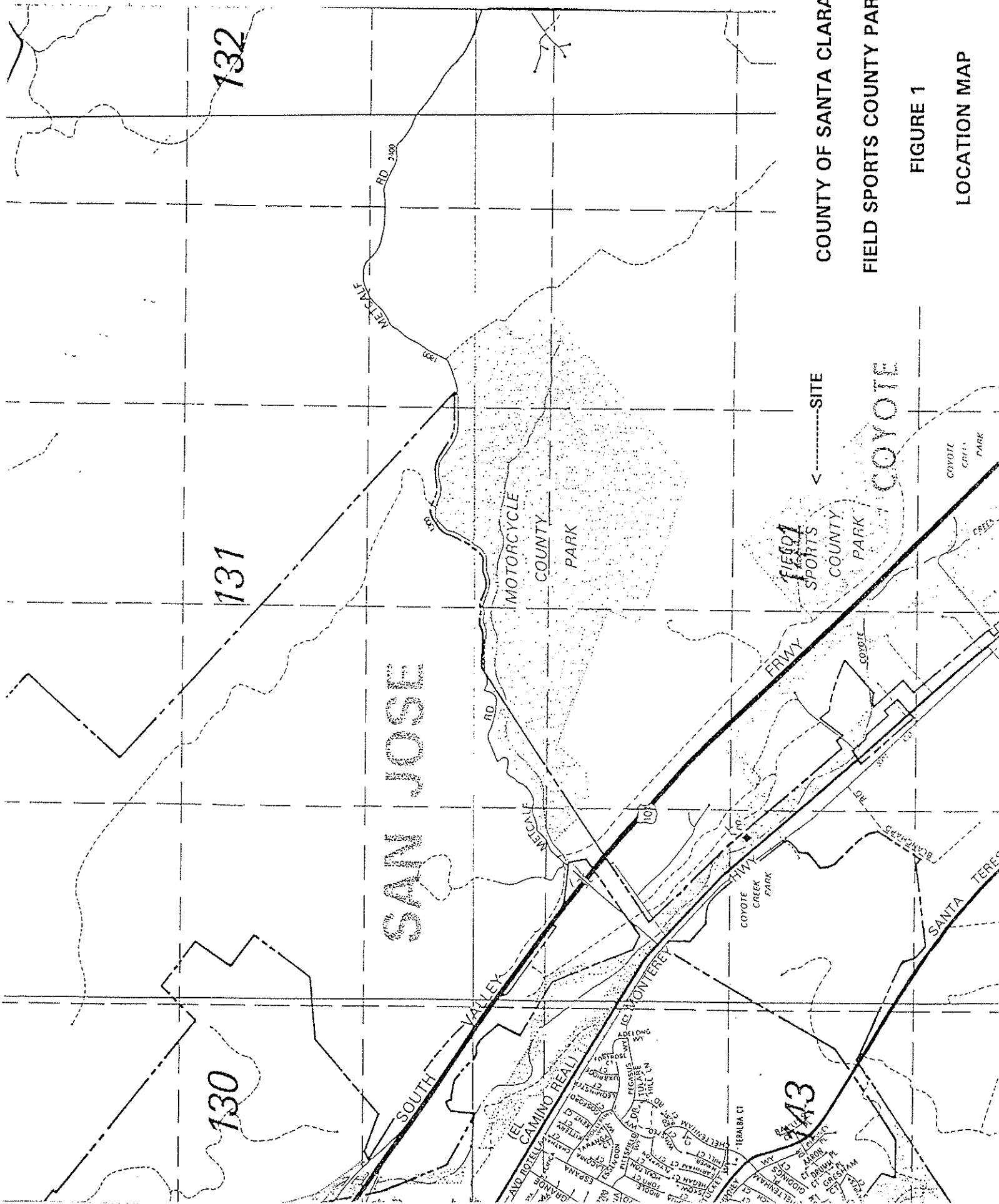
5. The Board will review this Order periodically and may revise the requirements or compliance schedule when necessary.

I, Steven R. Ritchie, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Region, on February 16, 1994.



Steven R. Ritchie
Executive Officer

Attachments: Figure 1 — Site Map



COUNTY OF SANTA CLARA

FIELD SPORTS COUNTY PARK

FIGURE 1

LOCATION MAP